

CERTIFICATE OF MAILING

I hereby certify that this TRANSMITTAL is being deposited with the U.S. Postal Service, with sufficient postage, as first class mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on this 22nd day of November, 2005.

Typed or Printed name of person signing this certificate:

Wendy A. Frick

Customer Number

24024



Signed: _____

Wendy A. Frick

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Chiu

Serial No.: 10/829,491

Filed: April 22, 2004

For: **TRANSGENIC ANIMALS FOR
SCREENING THERAPEUTIC AGENTS)
FOR BRAIN TUMORS**

) Examiner: Lieto, Louis D.

) Art Unit: 1632

) Attorney Docket No.: 28489/04001

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

TRANSMITTAL OF AMENDMENT

Sir:

Transmitted herewith are the following:

1. Amendment;
2. Statement Regarding Deposit of Biological Materials;
3. Copy of the ATCC Receipt in the Case of an Original Deposit; and
4. A Return Receipt Postcard.

It is believed that no further fee is required relating to the filing of this Amendment. If this is not the case, the Patent Office is hereby authorized to charge any related fee to Deposit Account No. 03-0172. A duplicate copy of this sheet is attached.

Respectfully submitted,

Date: _____

November 22, 2005

By: _____

Pamela A. Docherty
Pamela A. Docherty, Reg. No. 40,591
(216) 622-8416



CERTIFICATE OF MAILING

I hereby certify that this statement is being deposited with the U.S. Postal Service, with sufficient postage, as first class mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on this 22nd day of November 2005.

Typed or Printed name of person signing this certificate:

Wendy A. Frick

Signed: _____

Wendy A Frick

Customer Number

24024

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Chiu

Serial No.: 10/829,491

Filed: April 22, 2004

For: **TRANSGENIC ANIMALS FOR
SCREENING THERAPEUTIC AGENTS)
FOR BRAIN TUMORS**

) Examiner: Lieto, Louis D.
)
)

) Art Unit: 1632
)
)

) Attorney Docket No.: 28489/04001
)
)

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

STATEMENT REGARDING DEPOSIT OF BIOLOGICAL MATERIALS

In response to the Office Action mailed August 24, 2005, Applicant states that the materials referenced in claim 19 of the above-described application, as ATCC No. PTA-3661 was deposited under the Budapest Treaty and will be irrevocably and without restriction or conditions released to the public upon issuance of a patent. As evidence of such deposit, applicant includes herewith of the International Form dated September 7, 2001.

Respectfully submitted,

Date: _____

November 22, 2005

By: _____

Pamela A. Docherty
Pamela A. Docherty, Reg. No. 40,591
(216) 622-8416

ATCC

10801 University Blvd • Manassas, VA 20110-2209 • Telephone: 703-365-2700 • FAX: 703-365-2745

BUDAPEST TREATY ON THE INTERNATIONAL RECOGNITION OF
THE DEPOSIT OF MICROORGANISMS FOR THE PURPOSES OF PATENT PROCEDURE

INTERNATIONAL FORM

RECEIPT IN THE CASE OF AN ORIGINAL DEPOSIT ISSUED PURSUANT TO RULE 7.3
AND VIABILITY STATEMENT ISSUED PURSUANT TO RULE 10.2



To: (Name and Address of Depositor or Attorney)

Ohio State University
Attn: Ing-Ming Chiu
S-2052 Davis Center
480 West 9th Avenue
Columbus, OH 43210

Deposited on Behalf of: The Ohio State University

Identification Reference by Depositor:

Mouse brain tumor cell line: F1B(-3900)Tag
Mouse brain tumor cell line: KT98

Patent Deposit Designation

PTA-3660
PTA-3661

The deposits were accompanied by: ___ a scientific description _ a proposed taxonomic description indicated above. The deposits were received August 21, 2001 by this International Depository Authority and have been accepted.

AT YOUR REQUEST: ☒ We will inform you of requests for the strains for 30 years.

The strains will be made available if a patent office signatory to the Budapest Treaty certifies one's right to receive, or if a U.S. Patent is issued citing the strains, and ATCC is instructed by the United States Patent & Trademark Office or the depositor to release said strains.

If the cultures should die or be destroyed during the effective term of the deposit, it shall be your responsibility to replace them with living cultures of the same.

The strains will be maintained for a period of at least 30 years from date of deposit, or five years after the most recent request for a sample, whichever is longer. The United States and many other countries are signatory to the Budapest Treaty.

The viability of the cultures cited above was tested August 23, 2001. On that date, the cultures were viable.

International Depository Authority: American Type Culture Collection, Manassas, VA 20110-2209 USA.

Signature of person having authority to represent ATCC:


Tanya Nungally, Patent Specialist, Patent Depository

Date: September 7, 2001